

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JERRY POYNTZ,

Petitioner,

Case Number: 2:15-cv-13536
HONORABLE SEAN F. COX

v.

SHERMAN CAMPBELL,

Respondent.

_____ /

ORDER OF DISMISSAL WITHOUT PREJUDICE

This is a habeas case under 28 U.S.C. § 2254. Petitioner Jerry Poyntz is a state inmate incarcerated at the Carson City Correctional Facility in Carson City, Michigan. He filed a *pro se* habeas corpus petition. The Court issued an Order to Correct Deficiency because Petitioner failed to submit either the \$5.00 filing fee or a certified trust account statement for the 6-month period immediately preceding the filing of the complaint. *See* 28 U.S.C. § 1914(a); 28 U.S.C. § 1915. The Court ordered Petitioner to correct the deficiency within twenty-one days and cautioned that failure to do so could result in dismissal of the petition. Petitioner has not corrected the deficiency and the time for doing so has expired. The Court will, therefore, dismiss the petition. This dismissal is without prejudice to Petitioner's right to file another petition in accordance with the applicable Federal and local rules.

Accordingly, the petition for a writ of habeas corpus is **DISMISSED WITHOUT**

PREJUDICE.

SO ORDERED.

Dated: January 6, 2016

S/ Sean F. Cox

Sean F. Cox

U. S. District Judge

I hereby certify that on January 6, 2016, the foregoing document was served on counsel of record via electronic means and upon Jerry Poyntz via First Class mail at the address below:

Jerry Poyntz 751057
Carson City Correctional Facility
10274 Boyer Road
Carson City, MI 48811

S/ J. McCoy

Case Manager